

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

ISRAEL TERRAZAS SAENZ, :
Petitioner, :

vs. : **CIVIL ACTION 09-0630-KD-M**
CRIMINAL ACTION 07-0273-KD-M
UNITED STATES OF AMERICA, :

Defendant. :

ORDER

After due and proper consideration of all pleadings in this file, and there having been no objections filed, the Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) and dated November 3, 2009 is **ADOPTED** as the opinion of this Court.

It is **ORDERED** that Respondent's Motion to Dismiss (Doc. 31) be **GRANTED**, that Petitioner's Motion to Vacate (Doc. 29) be **DENIED**, and that this action be **DISMISSED**.

DONE and **ORDERED** this the 18th day of December 2009.

/s/ Kristi K. DuBose
KRISTI K. DUBOSE
UNITED STATES DISTRICT JUDGE